



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Morishita et al.

CERTIFICATE OF MAILING

**Application No.** 09/869,475

**Filed:** October 10, 2001

**Confirmation No.** 4309

**For:** GENE THERAPY FOR DIABETIC ISCHEMIC DISEASE

**Examiner:** Brian A. Whiteman

**Art Unit:** 1635

**Attorney Reference No.** 6235-59221-01

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent for Applicant(s) \_\_\_\_\_

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**PURSUANT TO 37 C.F.R. § 1.97(e)**

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent. This Information Disclosure Statement ("IDS") is being mailed before Applicants received a final action, a notice of allowance, or an action that otherwise closes prosecution in the referenced application.

This statement is provided in compliance with 37 C.F.R. § 1.97(e)(1). The undersigned hereby states that each item of information contained in the IDS filed herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. As a result, no fee should be required to file this IDS.

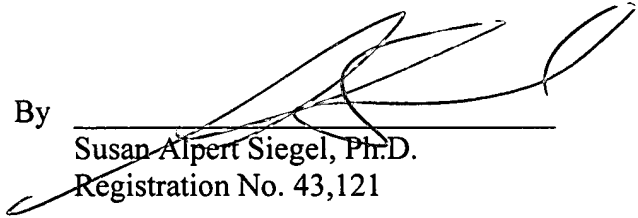
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The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

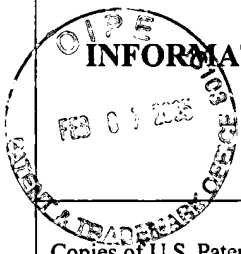
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**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

|                        |                   |
|------------------------|-------------------|
| Attorney Docket Number | 6235-59221-01     |
| Application Number     | 09/869,475        |
| Filing Date            | October 10, 2001  |
| First Named Inventor   | Morishita         |
| Art Unit               | 1635              |
| Examiner Name          | Brian A. Whiteman |

**U.S. PATENT DOCUMENTS**

Copies of U.S. Patent documents do not need to be provided, unless requested by the Patent and Trademark Office. For patents, provide the patent number and the issue date. For published U.S. applications, provide the publication number and the publication date. For unpublished pending patent applications, provide the application number and the filing date.

| Examiner's Initials* | Cite No. (optional) | Number | Publication Date | Name of Applicant or Patentee |
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**FOREIGN PATENT DOCUMENTS**

| Examiner's Initials* | Cite No. (optional) | Country | Number         | Publication Date | Name of Applicant or Patentee                  |
|----------------------|---------------------|---------|----------------|------------------|--|
|                      |                     | WIPO    | WO 98/19712 A1 | 05/14/1998       | St. Elizabeth's Medical Center of Boston, Inc. |
|                      |                     | WIPO    | WO 98/51798 A1 | 11/19/1998       | Imperial Cancer Research Technology Limited    |
|                      |                     | WIPO    | WO 00/62798 A2 | 10/26/2000       | St. Elizabeth's Medical Center of Boston, Inc. |
|                      |                     | WIPO    | WO 00/62798 A3 | 10/26/2000       | St. Elizabeth's Medical Center of Boston, Inc. |

**OTHER DOCUMENTS**

| Examiner's Initials* | Cite No. (optional) |  |
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| EXAMINER SIGNATURE: | DATE CONSIDERED: |
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